

AMENDED IN SENATE AUGUST 28, 2007

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 288

Introduced by Assembly Member Price
(Coauthors: Assembly Members Adams, Beall, Dymally, Jeffries,
Krekorian, Mendoza, and Tran)
(Coauthor: Senator Scott)

February 9, 2007

An act to add Sections 18547 and 18548 to the Elections Code, relating to elections, ~~and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 288, as amended, Price. Voter intimidation: Voter Intimidation Restitution Fund.

Existing law prohibits certain activities intended to compel a person to vote or dissuade a person from voting. Violation of these provisions is a felony.

This bill would authorize a court to order any person convicted of violating this prohibition to also pay a restitution fine, in an amount determined by the court, to be deposited in the Voter Intimidation Restitution Fund created by this bill. The bill would ~~continuously appropriate, upon appropriation by the Legislature, allocate~~ the money in this fund to the Secretary of State for purposes of voter education campaigns that address the specific crime committed by anyone convicted of violating this prohibition.

Vote: $\frac{2}{3}$ -majority. Appropriation: ~~yes~~-no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 18547 is added to the Elections Code, to
2 read:

3 18547. (a) In addition to any other fine or penalty imposed by
4 this article, the court may order any person convicted of violating
5 this article to pay a restitution fine, the amount of which shall be
6 determined by the court and be commensurate with the seriousness
7 of the offense.

8 (b) The moneys derived from the fine assessed pursuant to
9 subdivision (a) shall be deposited in the Voter Intimidation
10 Restitution Fund, created in Section 18548.

11 SEC. 2. Section 18548 is added to the Elections Code, to read:

12 18548. The Voter Intimidation Restitution Fund is hereby
13 established in the State Treasury. ~~Notwithstanding Section 13340~~
14 ~~of the Government Code, all moneys in the fund are hereby~~
15 ~~continuously appropriated, without regard to fiscal years, to the~~
16 *Upon appropriation by the Legislature, moneys in the fund shall*
17 *be allocated to the Secretary of State to be used in voter education*
18 *campaigns addressing the specific crime committed by anyone*
19 *convicted of violating this article. The funds shall also be used for*
20 *the administrative costs associated with distribution of the fund.*